

**EXHIBIT 57**

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**MAO DECLARATION  
OPPOSITION TO SUMMARY  
JUDGMENT**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SANTIAGO, HAROLD NYANJOM, KELLIE )  
NYANJOM, and SUSAN LYNN HARVEY, )  
individually and on behalf of all )  
others similarly situated )

Others similarly situated,

Plaintiffs,  
)

VS.

GOOGLE LLC,

Defendant.)

----- )

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## REMOTE PROCEEDINGS OF THE

VIDEOTAPED DEPOSITION OF CHRISTOPHER RUEMMLER

FRIDAY SEPTEMBER 9 2022

REPORTED BY NANCY J. MARTIN  
CSR. NO. 9042, RMR, RPR  
PAGES 1-235

1 language just below --

2 A. I quoted the help page. So it may have been.  
3 Like I said, I can't remember my train of thought that  
4 day because it was two years ago -- you know, more  
5 than two years ago. 2019. Long time. Three years  
6 ago. But I would -- you know, it's there. It seems  
7 like that's the case, but I don't know; right?

8 Q. Do you think you might have been referring to  
9 some other document that you decided not to quote  
10 there?

11 MR. SANTACANA: Asked and answered.

12 THE WITNESS: Yeah, I mean it's -- this  
13 E-mail says these bullets; right? So I said, "We  
14 state the following in the 'on' case -- 'on' state."

15 BY MR. FRAWLEY:

16 Q. What do you mean by, "We state the following  
17 for the 'on' state"?

18 A. Well, reading my E-mail again for 2019, it  
19 says -- the on state must be referring to WAA because  
20 it says, "When Web & App Activity is on, Google saves  
21 information like," and so it gives a summary. It  
22 doesn't give an exhaustive list. It just gives some  
23 examples.

24 And you can see my thing here says "like  
25 maps," and the other one says "like maps and plays."

1 So they -- someone decided to give a few more  
2 examples.

3 Q. Do you see in your E-mail, Exhibit 7, where  
4 you wrote, "So, when Web & App Activity is off, I'd  
5 expect the opposite to happen."

6 Do you see that?

7 A. Yes.

8 Q. And then do you see where you wrote, "The  
9 opposite of the above is: When Web & App Activity is  
10 off, Google does not save information like"?

11 A. Yes, I see that.

12 Q. What did you mean by "information like"?

13 A. I can't tell what's there. There's nothing  
14 there.

15 Q. Fair to say you're referring back up to those  
16 bullets just above?

17 A. No, because there's a "like:" and then  
18 there's nothing below it.

19 Q. So you think your E-mail is incomplete?

20 A. I don't know. Is there -- was it -- again,  
21 it's from 2019. I don't know exactly what I wrote.  
22 But like just reading this E-mail now, I see a colon  
23 and then I see nothing below it. There's a dot with  
24 nothing and then there's a square with nothing, and  
25 then it goes on to some other thing.

1 Q. So is it your habit to not complete E-mails  
2 that you write while at Google?

3 A. No, not generally. I mean I don't know  
4 what's going on here. You know, it's 2019. I don't  
5 have -- you know.

6 Q. Okay. So then your testimony is that you  
7 were not -- sorry. Let me restart this question.

8 When you said "information like," you were  
9 not referring to those bullets above? And by "bullets  
10 above," I mean searches and other things, your  
11 location language, IP address, ads you click,  
12 information on your device.

13 A. Yeah, I don't know, because I would not  
14 normally -- if I put a colon there, I'd put stuff  
15 after it -- right? -- to explain what I'm doing like I  
16 did above.

17 Q. Well, above, you were just copying from the  
18 document; right? You didn't actually write that  
19 yourself?

20 A. Right. But then down below there's nothing.  
21 So I don't know what's going on in this E-mail.

22 Q. Do you see where you wrote, "The opposite of  
23 the above is"?

24 A. Yeah.

25 Q. What does "the above" refer to?

1 A. "The above" refers to the list above.

2 Q. So you're referencing back the list above.

3 Fair?

4 A. Oh, I see what's going on. I actually see  
5 what's going on now. There's two colons; right?

6 Q. What do you mean? I'm sorry.

7 A. There's two colons. "The opposite of the  
8 above is:" And then I have, "So, when Web & App  
9 Activity is off, Google does not save information  
10 like"; right?

11 Q. Sorry. I'm a little confused.

12 A. So I wrote the one above and then I wrote,  
13 "So, when Web & App Activity is off, I'd expect the  
14 opposite to happen. The opposite of the above is:"  
15 and then I wrote a line.

16 So that's what I'm like -- apparently, you  
17 know, if I'm reading my -- the way I write, that's  
18 what I'm saying. I try to write -- you know. Sorry.  
19 I'm an engineer. I kind of write things in a way that  
20 may not be natural to other people.

21 So I believe this is my misunderstanding with  
22 the way WAA works. So this was back before I had more  
23 knowledge about the way WAA works. And I thought at  
24 that time if the opposite of on and off, if it was  
25 off, well, we just didn't, you know, send any of this

1 data to Google. But that's not right. It's really  
2 you don't associate the data that's sent to Google  
3 with a GAIA ID, which we call keyed by GAIA ID.

4 Q. Just a moment ago you said something about  
5 sending the data to Google. What do you mean by "to  
6 Google"?

7 A. Well, if Google is storing data, then that  
8 would be sending it to Google.

9 Q. And a moment ago you said, "It's really you  
10 don't associate the data that's sent to Google with a  
11 GAIA ID."

12 Do you recall that?

13 A. Where are you reading now?

14 Q. We have a -- like a live transcript feed. I  
15 don't think you have that. I'm not sure actually.

16 A. No.

17 MR. SANTACANA: Hold on. Sorry, Alex. You  
18 should know it's not necessarily accurate. It's just  
19 the live feed of what the court reporter is typing.

20 MR. FRAWLEY: Okay. Well, I have faith in  
21 the court reporter.

22 BY MR. FRAWLEY:

23 Q. Do you recall a moment ago testifying that  
24 when WAA -- again, I'm not trying to quote you, but do  
25 you recall saying that, when WAA is off, that the data

1 is not -- that it's not associated with a GAIA ID?

2 Do you recall talking about that?

3 A. Yes, I recall talking about GAIA-tied data.

4 Q. Okay. What is GAIA-tied data?

5 A. GAIA-tied data is data that is linked  
6 directly to a GAIA ID which is then -- the user's  
7 account. So on Gmail everything is pretty much -- is  
8 GAIA tied or GAIA linked because it's your E-mail;  
9 right? So you need to -- we need to know the exact  
10 user that the data is associated with.

11 And there's no anonymization or anything like  
12 that. It's your E-mail. So everything is GAIA tied.  
13 So GAIA is the internal identifier at Google that  
14 identifies an account with an individual.

15 Q. Does Google log any data that's not GAIA  
16 tied?

17 MR. SANTACANA: Objection. Vague.  
18 Ambiguous. Lacks foundation.

19 THE WITNESS: I work in Workspace and in  
20 Gmail in particular, and as far as I know, everything  
21 is GAIA tied in Gmail because it's personal data.  
22 Other parts of the company, I don't know if they're  
23 doing -- you know, if they need to have GAIA tied or  
24 not.

25 BY MR. FRAWLEY:

1 know, my understanding back then of the way WAA was  
2 working was probably not correct, given I thought  
3 everything was GAIA tied.

4 Q. Well, you couldn't have thought everything  
5 was GAIA tied -- right? -- because you wrote here --  
6 you're talking here about data collected when you're  
7 not logged into your account. Sorry. You said -- let  
8 me restart this.

9 You wrote "data logged, but not tied to your  
10 account."

11 That's not GAIA data; right?

12 A. Correct. There we go. Yeah. So that would  
13 be untied GAIA data.

14 Q. So you couldn't have, at this time, thought  
15 that the only kind of data that existed was GAIA data.  
16 You knew there was non-GAIA data?

17 A. I guess so. But I'm not sure if I knew how  
18 WAA worked with regards to the data, given that's got  
19 My Activity associated with it.

20 I think the confusion here was, you know,  
21 when WAA is off, is data still sent to Google or not  
22 and how is it associated. If it was associated with a  
23 GAIA ID, you know, I think that would be very bad  
24 because WAA was off; right? If it's not associated  
25 with a GAIA ID, then, you know, other parts of Google

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1 do that. They anonymize the data. Gmail doesn't have  
2 a reason to anonymize data because it's all personal  
3 data. It needs to be tied to an identity.

4 Q. You thought at the time that Google needed to  
5 modify the help article to address what happens with  
6 WAA with respect to data that's not tied to someone's  
7 account?

8 A. That was a suggestion I made.

9 MR. SANTACANA: Alex, it's noon here. We're  
10 over an hour. I think we should take a break.

11 MR. FRAWLEY: Let me see. I think I'm almost  
12 wrapped up with this segment.

13 THE WITNESS: I can make suggestions as much  
14 as I want in Google -- right? -- and I may make --

15 MR. SANTACANA: Mr. Ruemmler, there's no  
16 question pending.

17 MR. FRAWLEY: Wait. Wait. You can't  
18 interrupt the witness when he's saying something,  
19 Eduardo.

20 MR. SANTACANA: You can ask him a question.  
21 But it's your last question and then we're going to  
22 take lunch.

23 MR. FRAWLEY: Isn't it my deposition,  
24 Eduardo, or is it yours?

25 MR. SANTACANA: Alex, ask your last question,

1 then we're taking lunch.

2 BY MR. FRAWLEY:

3 Q. Mr. Ruemmller, finish what you were saying  
4 when you said you can make suggestions as much as you  
5 want. What were you thinking?

6 A. Google has a culture that you can express  
7 your ideas freely within Google. So, you know,  
8 whether they be right or wrong; right? It's a free  
9 environment. That's what makes Google great is Google  
10 has got lots of different ideas and lots of different  
11 engineers. That's why I like working at Google. You  
12 can freely express how you feel. How you feel may not  
13 be what actually happens, and that's fine; right?

14 You know, the way things are done in Gmail  
15 may be done for a particular reason, and someone  
16 outside Gmail may have a problem with that, but they  
17 may not have all the information -- right? -- about  
18 why things are done a certain way. I mean have legal  
19 background -- we may have to do things for legal  
20 reasons; right? We may have to implement something in  
21 a particular way due to policy or compliance issues.

22 But we still accept people coming in and  
23 saying, hey, why is this broken in Gmail, or why does  
24 this work this way in Gmail, or can you improve Gmail  
25 this way. We take all those insights in and look at